

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BRIAN A. MULLALLY, M.D.,

Plaintiff,

Case No. 14-cv-14433

Hon. Matthew F. Leitman

v.

STANDARD INSURANCE COMPANY,

Defendant.

**ORDER GRANTING STANDARD INSURANCE COMPANY'S MOTION
TO DETERMINE DAMAGES FOR DEFAULT JUDGMENT ON
COUNTERCLAIMS (ECF # 25)**

By order entered November 17, 2015, this Court granted Counter-Plaintiff Standard Insurance Company's ("Standard") Motion for Default Judgment on its Counterclaim against Plaintiff Brian A. Mullally, M.D. (ECF #24.) In that order, the Court ruled that Standard was entitled to a default judgment on liability only. (*Id.*) Standard has now moved for a determination of the damages to be awarded in the default judgment (the "Damages Motion"). (ECF #25.)

Standard seeks an award of \$133,103.29, plus costs. (*Id.*) Standard has supported its motion with an affidavit from Linda Lowe, a Senior Disability Claim Specialist at Standard. (ECF # 25-1.) Ms. Lowe's affidavit sets forth the basis of Standard's damages claim. Her calculations are supported by documents attached to her affidavit.

Dr. Mullally has not responded to the Damages Motion.

The Court has reviewed Ms. Lowe's affidavit and finds her unopposed calculation of damages to be sufficient to establish Standard's right to the damages it seeks.

Accordingly, **IT IS HEREBY ORDERED** that the Damages Motion is **GRANTED** and that Standard is entitled to entry of a default judgment on its counterclaim in the amount of \$133,103.29, plus costs.

IT IS FURTHER ORDERED that Standard shall submit a proposed final default judgment on its counterclaims.

s/Matthew F. Leitman

MATTHEW F. LEITMAN

UNITED STATES DISTRICT JUDGE

Dated: February 3, 2016

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on November 13, 2015, by electronic means and/or ordinary mail.

s/Holly Monda

Case Manager

(313) 234-5113